

THE RICHARD STOCKTON COLLEGE OF NEW JERSEY

CODE OF ETHICS

Adopted by the Board of Trustees

September 21, 2005

Approved by The Executive Commission on Ethical Standards on November 29, 2005.

## THE RICHARD STOCKTON COLLEGE OF NEW JERSEY

### CODE OF ETHICS

#### I.

##### In General

A. It is public policy in New Jersey that conduct of public officials and employees maintain the respect and confidence of the public. To that end, public institutions are required to adopt a code of ethics to govern and guide the conduct of its officers and employees.

B. The Richard Stockton College of New Jersey (the “College”) first adopted a Code of Ethics (the “Code”) in November 1975 and has followed the terms of that Code since that time. More recently, the Governor of the State of New Jersey issued an Executive Order directing all public agencies, including New Jersey colleges and universities, update their respective code of ethics and submit them for review by the Office of the Attorney General and the Executive Commission on Ethical Standards.

C. There are a number of authoritative sources which constitute the bases for the within Code of Ethics, including the New Jersey Conflicts of Interest Law (N.J.S.A. 52:13D-12 et seq.); Regulations of the Executive Commission on Ethical Standards; Regulations of the Commission on Higher Education and the Campus Code of Conduct.

D. Any disagreement between the provisions of the following Code of Ethics (the “Code”) and the above authoritative sources, as they may be amended from time to time, shall be resolved in favor of the authoritative sources.

E. It should be noted that this Code shall be read in conjunction with other authoritative documents referenced above as well as other agreements and policies that have a bearing on conflicts of interest. Principal among these authoritative documents are the collective negotiation agreements which deal with certain reporting requirements and rules and regulations that deal with the subject of partisan political activity by public employees.

## II. Officers and Employees Covered by The Code of Ethics

A. The provisions of the within Code shall apply to all full-time and part-time officers and employees, regular or special, of the College, without regard to the source of funding, including, but not limited to the following:

Members of the Board of Trustees of the College  
President of the College  
Vice Presidents of the College  
Deans of the College  
Managerial and Non-managerial employees  
Members of the Staff  
Members of the Faculty  
Adjunct Members of the Faculty  
Student employees

B. For the purposes of this Code, the term "employee" shall be used to describe all of the officers and employees described above, except where certain officers and/or employees are specified as being excluded from a particular provision.

C. Members of the Board of Directors of The Richard Stockton College of New Jersey Foundation are not bound by the terms of the within Code, unless members also serve as employees of the College. It should be noted that employees of the Foundation are subject to the provisions of a code of ethics established by the Foundation Board of Directors.

D. It is the responsibility of all employees to report possible violations of this Code. Violations are considered a serious matter and may result in appropriate disciplinary action including, but not limited to, removal from employment with the College.

E. EACH EMPLOYEE PRESENTLY IN SERVICE AT THE COLLEGE SHALL RECEIVE AND ACKNOWLEDGE IN WRITING RECEIPT OF THE WITHIN CODE OF ETHICS WITHIN THIRTY (30) DAYS AFTER ADOPTION BY THE BOARD OF TRUSTEES. EACH EMPLOYEE HIRED AFTER ADOPTION OF THE CODE OF ETHICS SHALL RECEIVE AND ACKNOWLEDGE IN WRITING RECEIPT OF THE WITHIN CODE NO LATER THAN THE TIME HE OR SHE BEGINS EMPLOYMENT.

## III. Definition of Conflict of Interest

A. In General. This Code adopts the definition of conflicts of interest established by The New Jersey Commission on Higher Education. The Commission has identified in general terms three types of activities that would constitute conflicts of interest:

1. Activities that so clearly constitute a conflict of interest or a violation of the public trust by a College employee that are expressly prohibited; for example, the solicitation or acceptance of a bribe, gift or valuable favor from any person doing business with the College.

2. Activities that may reasonably raise questions about the integrity of a College employee are the receipt of an offer of a bribe, gift or valuable favor. Although the employee did not solicit such nor may the employee have done anything wrong he/she is under an obligation to report such activities, in writing, to the Ethics Liaison Officer.

3. Activities that may result in the appearance of a conflict of interest, such as receiving a complimentary invitation to an event from any person doing business with the College or engaging in any business or employment that may conflict with the duties of a College employee.

B. All employees shall disclose potential conflicts of interest as they arise. All full-time employees shall annually or within five business days of receiving an offer of outside employment disclose their outside employment and/or business interests to the Ethics Liaison Officer for transmission to the Executive Commission on Ethical Standards.

C. A copy of the Outside Activity Questionnaire is attached hereto as **EXHIBIT A** and **EXHIBIT B**. Exhibit A is for all employees and Exhibit B shall be used by the President and Members of the Board of Trustees.

D. In situations in which a College employee is uncertain about the proper application of the Code to his/her particular circumstances, he/she should report the relevant details of the activities and seek the informal advice of the College's Ethics Liaison Officer.

#### IV. Specific Requirements

A. The following specific requirements are applicable to all College employees:

1. No employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity, which is in substantial conflict with the proper discharge of his/her duties in the public interest.

2. No employee shall use or attempt to use his/her official position to secure unwarranted privileges or advantages for himself, herself or others.

3. No employee shall act in his/her official capacity in any manner in which he/she has a direct or indirect personal financial interest that might reasonably impair his/her objectivity or independence of judgment.

4. No employee shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among members of the public having knowledge of his/her acts that he/she may have engaged in conduct violative of his/her public trust.

5. No employee shall engage in any particular business, profession, trade or occupation which is subject to licensing or regulation by a specific state agency without promptly providing notice in writing of the same to the President or the Ethics Liaison Officer, as the case may be. The Ethics Liaison Officer shall be responsible for filing notices of covered activity with the Executive Commission on Ethical Standards.

6. No employee shall undertake any employment or service, whether or not compensated, that might reasonably be expected to impair his/her objectivity and independence of judgment in the exercise of his /her official duties. In connection with this obligation, no employee may undertake to perform any personal services, whether or not compensated, for a subordinate employee. Additionally, the President, Provost Vice Presidents and the Deans of the College are prohibited from having a personal contractual or business relationship with another employee of the College.

7. Neither the President nor any member of the Board of Trustees nor any member of the immediate family of such official, shall do business, directly or indirectly, with the College. Members of the immediate family shall mean the official's spouse, child, parent or sibling residing in the same household. This prohibition shall also apply to any firm, association or partnership by which the President or Board of Trustee member is employed, from which the President or Board of Trustee member receives compensation, or of which the President or board of Trustee member owns or controls more than one percent of the profits or assets of that firm, association or partnership. Such prohibitions shall also apply to shareholders, associates or professional employees of a professional service corporation regardless of the extent or amount of their shareholder interest in such a corporation.

8. The Executive Director of the Executive Commission on Ethical Standards is authorized to grant exceptions to the provisions set out in Paragraph IV.A.7. above, if in the judgment of the Executive Director, the entity that employs, provides compensation or is owned in part by the Board member is one with which the College may contract with pursuant to N.J.S.A. 52:13D-19 and N.J.S.A. 52:34-10, or where the public interest requires that an exception be made.

9. All employees shall report in writing to their Divisional Vice President the names of any relatives, domestic partners or members of the same household over whom they have direct or indirect managerial or supervisory authority,

including, but not limited to, any role in personnel review. Vice Presidents shall report in writing the names of such persons to the President of the College, and the President shall report in writing the names of such persons to the Chair of the Board of Trustees. Members of the Board of Trustees shall report the names of such persons to the full Board of Trustees in open public session. Copies of all written reports shall be delivered to the College's Ethics Liaison Officer.

B. To avoid favoritism and any potential conflict of interest, no employee shall act in his/her official capacity in any College matter where the employee or an immediate family member or domestic partner of the employee has a direct or indirect interest that might be reasonably expected to impair the employee's objectivity or independence of judgment.

C. Direct interest includes, but is not limited to, initial employment, retention, job classification, salary, performance appraisals and work assignments. Therefore, no employee shall directly supervise a member of his/her own family or domestic partner. It is the intent of the College to avoid instances that could be influenced by the family relationship in hiring, performance evaluation, promotion, reclassification, discipline, grievance, or dismissal processes.

10. No employee shall participate, directly or indirectly, in decisions involving a benefit or detriment to a member of the employee's family, domestic partner or member of his /her household. It shall be an exception to the requirements of this paragraph for an employee to directly provide academic or student support services to a member of the employee's family, domestic partner or member of his/her household, provided however, that the employee shall describe the academic or student support services provided and the name of the recipient to the Ethics Liaison Officer.

11. Attendance at an Event Sponsored by an Interested Party

Definition of an "Interested Party"

- i. Any person, or employee, representative or agent thereof, who is or may reasonably be anticipated to be subject to the regulatory, licensing or supervisory authority of the College;
- ii. Any supplier to the College, or employee, representative or agent thereof;
- iii. Any organization that advocates or represents the positions of its members to the College; or
- iv. Any organization having a majority of whose members are as described in Section IV.A. 11 (a) i, ii and iii above.

- (b) An employee shall secure the prior approval of the President or his designee to attend any event described in this Section 11 (for the purpose solely for this Section IV.A. 11, the “Event”).
- (c) Except as provided in Section IV.A. 11 (d) below:
  - i. The College shall pay the reasonable expenses of an employee associated with attending an Event.
  - ii. Neither the employee nor the College shall receive any direct or indirect benefit from an Interested Party of any other source.
- (d) The requirement and prohibition in Section IV.A. 11 (c) above need not apply if the event is designed to provide training, dissemination of information, or the exchange of ideas and the employee is making a speech, is participating in a panel at the Event or is an accompanying resource person for the speaker and/or participant, subject to the reasonable approval of the President or his designee. The direct or indirect benefit provided to the employee by the sponsor of the Event may include the following:
  - i. Reimbursement or payment of actual and reasonable expenditures for travel or subsistence and allowable entertainment expenses associated with attending an event in New Jersey if expenditures for travel or subsistence and entertainment expenses are not paid for by the State or College;
  - ii. Reimbursement or payment of actual and reasonable expenditures for travel or subsistence outside New Jersey, not to exceed \$500.00 per trip, if expenditures for travel or subsistence and entertainment expenses are not paid for by the State or the College. The \$500.00 per trip limitation shall not apply if the reimbursement or payment is made by:
    - a. A nonprofit organization of which the employee is, at the time of reimbursement or payment, an active member as a result of the payment of a fee or charge for membership to the organization by the State or the College; or

- b. A nonprofit organization that does not contract with the State to provide goods, materials, equipment, or services.
- (e) If an actual conflict or the appearance of a conflict could arise under the application of Section IV.A. 11 (d) above, then Section IV.A 11 (c) above shall govern.
- (f) Approvals granted under Section IV.A. 11 (d) above must be forwarded to the Commission for review.
- (g) An employee may pay his or her own expenses with his or her personal funds.
- (h) An employee of the College shall not accept an honorarium or fee for a speech or presentation at an event covered by this subsection.
- 12. Attendance at an Event Sponsored by an Entity Other Than an Interested Party
  - (a) An employee shall secure the prior approval of the President or his designee to attend such an event described in this Section IV.A. 12 (for the purpose solely for this Section IV.A. 12, the “Event”).
  - (b) The State or the College may pay the reasonable expenses of the employee associated with attending the Event or may permit the employee to accept direct or indirect benefits. Direct or indirect benefits may include the following:
    - i. Reimbursement or payment of actual and reasonable expenditures for travel or subsistence and allowable entertainment expenses associated with attending an event in New Jersey if expenditures for travel or subsistence and entertainment expenses are not paid for by the State or the College;
    - ii. Reimbursement or payment of actual and reasonable expenditures for travel or subsistence outside New Jersey, not to exceed \$500.00 per trip, if expenditures for travel or subsistence and entertainment expenses are not paid for by the State or the College. The \$500.00 per trip limitation shall not apply if the reimbursement or payment is made by:
      - a. A nonprofit organization of which the employee is, at the time of reimbursement or payment, an active



member as a result of the payment of a fee or charge for membership to the organization by the State or the College; or

- b. A nonprofit organization that does not contract with the State to provide goods, materials, equipment, or services.
- (c) An Interested Party shall not provide a direct or indirect benefit to an employee in order to facilitate his or her attendance.
- (d) An employee making a speech or presentation at the Event shall not accept an honorarium or fee from the sponsor.
- (e) Under no circumstances shall an employee accept entertainment collateral to the Event, such as, but not limited to a golf outing, or meals taken other than in a group setting with all attendees, or reimbursement therefor.

13. Acceptance of Things of Value

- (a) Solicitation or Acceptance of a Thing of Value from an Interested Party
  - i. An employee shall not solicit or accept, directly or indirectly any thing of value from an Interested Party.
  - ii. An employee must disclose and remit to the President or his designee any offer or receipt of any thing of value from an Interested Party.
  - iii. The President or his designee shall return the thing of value to the donor or, in the case of a perishable thing of value, transfer it to an appropriate nonprofit entity in the name of the donor.
  - iv. An employee of the College may retain and use unsolicited gifts or benefits of trivial value, such as complimentary articles offered to the general public, and gifts received as a result of mass advertising mailings to the general business public if such use does not create an impression of a conflict of interest or a violation of the public trust. If circumstances exist which create a reasonable doubt as to the intention with which the gift or benefit was offered, Section IV.A. 13 (a) iii above shall govern.
  - v. The President or his designee shall keep records of all such occurrences, names of the employees, individuals and companies involved, and the final disposition of the thing of value.

- (b) Solicitation or Acceptance of a Thing of Value from an Entity Other Than an Interested Party
- i. An employee must disclose to the President or his designee any offer or receipt of a thing of value from an entity other than an Interested Party.
  - ii. The President or his designee shall determine whether the thing of value was given or offered with the intent to influence or reward the performance of the employee's public duties and responsibilities, or whether it may be reasonably inferred to have been given or offered with the intent to influence the performance of his or her public duties and responsibilities, or whether the use of the item will create an impression of a conflict of interest or violation of the public trust. The President or his designee shall also determine whether the thing of value is offered by a lobbyist or governmental affairs agent, as defined in N.J.S.A. 52:13C-18, and whether its acceptance by an employee will exceed the calendar year limit of \$250.00 established by N.J.S.A. 52-13D-24.1.
  - iii. Upon a determination there was an intent to influence or it could reasonably be inferred there was an intent to influence the performance of the recipient's public duties and responsibilities, or the use of the item will create an impression of a conflict or a violation of the public trust, the President or his designee shall return the thing of value to the donor or, in the case of a perishable thing of value, transfer it to an appropriate non-profit entity in the name of the donor.
  - iv. Upon a determination that an employee may accept a thing of value from an entity other than an Interested Party, the President or his designee shall so notify the employee. Such notification shall include an indication of whether the employee, in accepting the thing of value, has exceeded or will exceed the \$250.00 calendar year limit with respect to a lobbyist or governmental affairs agent.
  - v. An employee or the College may retain and use unsolicited gifts or benefits of trivial or nominal value, such as complimentary articles offered to the public in general, and gifts received as a result of mass advertising mailings to the general business public if such use does not create an impression of a conflict of interest or a violation of the public trust. If circumstances exist which create a reasonable doubt as to the intention with which the gift or benefit was offered, Section IV.A. 13 (b) iii above shall govern.

- vi. The President or his designee shall keep records of all such occurrences, names of the employees, individuals, and companies involved, and the final disposition of the thing of value.

14. Except as may be otherwise provided by law, no employee shall willfully disclose any information not generally available to the public which he/she receives or acquires in the course of or by reason of his /her official duties. No employee shall use for the purpose of pecuniary or other gain, whether directly or indirectly, any information not generally available to the public which he/she receives by reason of his/her official duties.

15. There are specific statutory provisions in the New Jersey Conflicts of Interest Law (N.J.S.A. 52:13D-15 and 16) and Executive Commission on Ethical Standards regulations, N.J.A.C. 19:61-1.1 et seq., that are concerned with the issue of whether representation by an employee or entity in which the employee has a substantial interest in a condemnation proceeding, court or agency constitutes a conflict of interest. Any employee who seeks to negotiate, represent or advise any person or entity other than the State, the College or entity related to the College should consult the Law and Regulations governing such matters and the College's Ethics Liaison Officer.

16. There are specific statutory provisions in the New Jersey Conflicts of Interest Law and Executive Commission on Ethical Standards regulations that are concerned with the issue of whether the contracting by the employee or by a business entity in which the employee has an interest with the State or the College constitutes a conflict of interest. See N.J.S.A. 52-13D-19, 19.1 and 19.2. Any employee who seeks to contract with the State or College should consult with the College's Ethics Liaison Officer.

## V.

### Outside Employment

A. Each employee of the College, with the exception of members of the Board of Trustees and part-time and/or adjunct members of the faculty and staff, has a primary work obligation to the College.

B. Reporting Requirements for Members of the AFT Negotiations Unit. All regular and continuing outside employment engaged in by members of the AFT Negotiations Unit shall be reported to the President no later than promptly upon acceptance and thereafter on an annual basis. The Outside Activity Questionnaire (see the attached EXHIBIT A) shall be completed by the employee and shall include, but not be limited to, the following information:

1. Name of employee;
2. Name of outside employer;
3. Description of work to be performed;
4. Normal hours and dates of work and any anticipated exceptions;  
and

5. Licenses or special requirements necessary to perform the duties involved.

C. The President of the College shall seek the advice of the Ethics Liaison Officer with respect to any possible violations of the Code.

D. Reporting Requirements and the Obligation to Obtain Prior Approval (employees not represented by AFT). An employee not represented by the AFT may engage in outside employment or other activity or compensation only if the employment or activity has been reported in writing and has been authorized in advance on an annual basis by the Vice President of the Division in which the employee works and the Ethics Liaison Officer. Employees who work within the Office of the President may engage in outside employment if reported to and authorized in advance by the President and the Ethics Liaison Officer. Outside employment by the President shall be reported to and approved by the Chair of the Board of Trustees.

1. In providing a written report of the proposed outside employment or activity to the appropriate Divisional Vice President or to the President, as the case may be, an employee has the responsibility to demonstrate that the proposed outside employment or activity *does not*:

- a. Constitute a conflict of interest or the appearance of conflict of interest;
- b. Occur during the employee's regular work hours;
- c. Cause the employee to be unavailable for reasonable special project assignments; and
- d. Diminish the employee's efficiency in performing assigned duties.

2. Employees may engage in outside employment or activity during approved vacation leave as long as the employment or other activity does not constitute a conflict of interest or the appearance of a conflict of interest.

3. The President and Members of the Board of Trustees shall adhere to the requirements set out in Paragraph IV. A. 7. above.

## VI.

### The Making of Statements and Opinions and Taking of Positions on Issues

A. In performing outside employment or other activities, no employees shall make statements or express positions in a manner that makes it seem or appear that the statements or positions are those of the College, its Board of Trustees or any other College officer or employee. Nothing in this provision, however, is intended to preclude employees from allowing their names, titles, job positions and academic credentials to be referred to in connection with performing such outside employment.

VII.  
Use of State and College Property

A. This Section VII applies to all employees, including members of the Board of Trustees and part-time and adjunct members of the faculty and staff:

1. Each employee shall use College property and funds placed under his/her official control in strict accordance with prescribed procedures in meeting College and other public program goals and objectives. State and College property, funds and other assets shall only be used for official College business, and not for personal use (an exception may be the occasional personal use of a College-owned computer or telephone). When such property or physical assets is no longer usable by the College, it shall be sold or otherwise disposed of in accordance with State and College policy and shall not be given away to any employee.

VIII.  
Special Casino-Related Considerations

A. Employees subject to financial disclosure by law or executive order or who have responsibilities related to the casino industry and the President, Provost and Vice Presidents shall refer to N.J.S.A. 52:13D-17.2, a copy of which is available from the Ethics Liaison Officer.

IX.  
Off-campus Actions and Behaviors

A. In meeting its educational mission, Stockton recognizes the importance of establishing and enforcing acceptable community standards of behavior. In doing so, members of the College community should know they will be held accountable for their off-campus actions and/or behaviors as they relate to established laws and regulations of federal, state, and local agencies, as well as policies of the College.

B. In this connection, individuals who are members of the College community have a responsibility to represent themselves in a lawful and responsible manner at all times, both on and off the campus. Further, the College reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community.

C. The College will not routinely invoke the disciplinary process for individual misbehavior occurring off College premises. Nonetheless, it will be necessary in order to protect the campus community when there are reasonable grounds to believe that an individual's behavior off College premises indicates that he/she poses a serious and substantial danger to others. Normally, such "substantial danger" will be manifested

by a pending criminal charge, usually relating to a crime of violence, burglary, substantial theft or fraud, the distribution of illegal drugs, or the possession of substantial quantities of illegal drugs.

X.

Responsibility for Administration of The Code of Ethics

A. Responsibility of the Ethics Liaison Officer. The President shall appoint a manager to serve as Ethics Liaison Officer who shall have day-to-day responsibility for administration of the provisions of the Code of Ethics. He/she will advise the President and the appropriate Divisional Vice President with respect to all issues related to an employee's receipt of gifts and outside employment or activity as set forth above. In addition, he/she will keep employees regularly informed as to requirements of the Code of Ethics and any changes in the Conflicts of Interest Law or Regulations through communications and training sessions. The Ethics Liaison Officer shall be available at reasonable times to discuss with employees matters related to the Code and to provide informal advice and counsel with regard to particular matters, and if appropriate, refer a particular matter to the Affirmative Action Officer, Campus Hearing Board or other College officer or body for appropriate resolution. Finally, the Ethics Liaison Officer shall maintain complete and accurate records of all matters related to the Code of Ethics.

B. Responsibility of the Employee and Ethics Liaison Officer (Gifts). Each employee shall have the responsibility to make full disclosure in writing to the Office of the Ethics Liaison Officer of any gift or other thing of value upon receipt from a person or business entity with whom or which he/she has had or may expect to have in the future contact in his/her official capacity. The gift or thing of value, if tangible, also shall be delivered to the Ethics Liaison Officer. The Ethics Liaison Officer shall then determine whether the gift constitutes a conflict or interest. If the Ethics Liaison Officer determines that the receipt of the gift violated the Code of Ethics, he/she shall direct the employee to return the gift forthwith.

C. Responsibility of the Employee, Divisional Vice President and Ethics Liaison Officer (Outside Employment). Each employee shall report outside activity in writing and in advance to the Ethics Liaison Officer, or the President as the case may be, who shall review the outside employment as being consistent with the Code of Ethics and make a recommendation to the appropriate Divisional Vice President or to the President. The Divisional Vice President or President, as the case maybe, shall then inform the employee of the determination of the Ethics Liaison Officer as to whether the outside employment or other activity constitutes a conflict of interest. If the employee disagrees with the determination of the Ethics Liaison Officer, the matter will be referred to the President of the College, who shall make the final determination on the matter. All determinations shall be filed by the Ethics Liaison Officer with the Executive Commission on Ethical Standards.

D. Information (College Webpage). The Ethics Liaison Officer shall be responsible for placing on the College's webpage a copy of the Code of Ethics, including forms. He/she will keep the information updated on a current basis. The Ethics Liaison Officer may from time to time inform the College community on the website with regard to the substance of decisions rendered at the College-level or by the Executive Commission on Ethical Standards which may be of general interest.

E. Forms. Forms may be downloaded from the College webpage, printed out, signed, and filed with the Ethics Liaison Officer of the College.

END OF CODE OF ETHICS